IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL

Criminal Application No. 252 of 2006

1. Lal Singh s/o Sri Ram Chandra
2. Smt. Leela W/o Sri Lal Singh
3. Ravinder S/o Lal Singh
4. Smt. Geeta W/o Savindra
   All R/o Village Nara, P.S. Mansoorpur
   District Muzaffarnagar
5. Virendra Singh S/o Sri Lal Singh
   R/o Village Nara
   P.S. Mansoorpur
   District Muzaffarnagar
   Presently posted as Constable in
   C.I.S.F. Ahamadabad Gujarat ... Applicants

Vs

1. State of Uttaranchal
2. Surender Kumar S/o Mam Raj
   R/o Libbarhedi
   P.S. Manglaur
   District Haridwar
3. Smt. Poonam W/o Sri Virender Singh
   R/o Village Nara
   District Muzaffar Nagar
   Presently C/o Constable
   Virender Singh Constable
   C.I.S.F. Ahemandbad Gujarat ... Opp. Parties.

Sri Anuj Kumar Singh, learned counsel for the applicants
Sri Lokendra Dobhal, learned counsel for the opposite party No. 2
Sri Rajendra Singh, learned counsel for the opposite party No. 3

Hon'ble B.C. Kandal, J.

By way of this petition under Section 482 Cr.P.C., the petitioners have sought the relief for quashing the proceedings in Criminal Case No. 967 of 2003 State Vs Lal Singh & others under Sections 498-A, 323 I.P.C. and Section 3/4 Dowry Prohibition Act pending in the court of 1st Additional Civil Judge (J.D.) Roorkee.

2. Brief facts giving rise to this petition are that the opposite party No. 2 lodged the First Information Report

against the petitioners under Sections 498-A, 323 I.P.C. and Section 3/4 Dowry Prohibition Act.

3. The case was investigated by the police and thereafter, the chargesheet was submitted against the petitioners. The trial court accordingly took cognizance in the matter and summoned the petitioners to face to trial. The petitioners have thus filed this petition to quash the entire aforesaid criminal proceedings pending against them before the trial court.

4. Heard Sri Anuj Kumar Singh, learned counsel for the petitioners, Sri Lokendra Dobhal, learned counsel for the opposite party No. 2, Sri Rajendra Singh, learned counsel for the opposite party No. 3, learned A.G.A. for the State and perused the record.

5. It has been argued by the learned counsel for the petitioners that both the parties have entered into compromise and a comprise application was filed before the trial court. Both the parties have put their signatures, but the trial court in spite of the compromise application filed before it, did not consider the same. The compromise application has been filed as annexure No. 3 to this petition.

6. This fact has not been disputed by the learned counsel for the opposite parties No. 2 and 3. They have also stated that the compromise application was in fact filed before the trial court but it has not been decided as yet.

7. Keeping in view the fact that both the parties have entered into compromise, the trial court shall also decide the matter in view of the decision pronounced by the Hon'ble Apex

Court reported in ***2003 SCC (Criminal) page 848 B.S. Joshi and others Vs. State of Haryana & another.***

8. With the aforesaid observation, this petition is finally disposed of.

9. The trial court is directed to decide the case without any unreasonable delay and keeping in view the decision pronounced by the Hon'ble Apex Court as well as the fact that both the parties have entered into compromise.

(B.C. Kandpal, J.)

19.08.2006
ASWAL